

REMARKS

Claims 1-12 are pending herein.

I. The rejections under 35 U.S.C. § 112.

The USPTO respectfully rejects claims 1-8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicants respectfully note that claim 1 has been amended for § 112 purposes to read in relevant part:

“a judging section to judge whether ~~or not the cassette is usable for next radiographing~~ the medical image is read by the medical image reading apparatus,

wherein the correspondence setting section prohibits the setting of the correspondence of the identification information of the cassette, which is judged by the judging section to ~~be nonusable for the next radiographing, to the radiographing order information~~ not to be the medical image read by the medical image reading apparatus.”

No new matter is introduced by these amendments. Support for the amendments can be found in present Figures 2, 4, 5, and 7, and on pages 34-37 of the present specification.

Specifically, as explained on page 35 of the present specification, CPU 41 judges whether or not medical images are read from the cassettes 70 by the medical imaging apparatus. Thus, CPU 41 is one example of the specifically claimed judging section of claim 1.

Furthermore, as explained on pages 34-35 of the present specification, the correspondence table 462 (see present Figure 5, for example) is set according to the results of the judging section. For example, as noted on page 35 of the present specification, if no medical image is read from cassette 70, the corresponding row in correspondence table 462 will not list the medical information of the medical image. Thus, the correspondence section prohibits setting the correspondence of the identification information of the cassette, as claimed in claim 1.

Thus, it is respectfully asserted that the claims particularly point out and distinctly claim the subject matter which Applicant regards as the invention, and therefore it is respectfully asserted that the § 112 rejections have been overcome.

II. The anticipation rejections based on Kanada et al..

On page 3 of the Office Action, the USPTO respectfully rejects claims 1-12 “under 35 U.S.C. § 102(b) as being anticipated by Kanada et al. (US 4,352,988).” Of these claims, claims 1 and 9 are independent claims.

First, Applicant respectfully notes that that US Patent No. 4,352,988, as indicated on page 3 of the Office Action, was granted to Ishida, not Kanada, and relates to an apparatus for sorting bank notes. Thus, it is respectfully believed that the USPTO intended to cite US Patent No. 6,954,767, which is granted to Kanada, and the remarks below are based on this belief.

Additionally, Applicant respectfully notes that the effective date of Kanada for § 102 (b) purposes is October 11, 2005, i.e. the issue date, and there is no indication that Kanada was published as an application before this date. **Thus, the effective date of Kanada is after the present application’s filing date of October 27, 2003,** and therefore it is respectfully believed that Kanada is not a § 102(b) reference. Instead, it is respectfully believed that that USPTO intended to cite Kanada as a 102(e) reference, and the remarks below are based on this belief.

A. Kanada does not disclose a medical image reading apparatus to read out identification information of a cassette and a medical image from the cassette detecting a radiographing image according to radiographing order information, as claimed in claim 1.

Claim 1 claims in relevant part:

“a medical image reading apparatus to read out **identification information of a cassette and a medical image from the cassette** ~~recording the medical image—radiographed~~detecting a radiographing image according to radiographing order information.” (emphasis added)

Claim 9 claims similar limitations. No new matter is introduced by the amendments. Support for the amendments can be found on page 18 of the present specification. Regarding these limitations, it is respectfully not seen where the cited references teach or suggest the claimed structure quoted above.

Specifically, it is respectfully noted that **Kanada does not disclose a medical image reading apparatus that reads a medical image from a cassette,** as claimed in claims 1 and 9. Instead, as noted in column 14, lines 27-30, **image server 14 retrieves images from image archiving apparatus 17 or 18, but Kanada does not disclose that image archiving apparatus 17 or 18 is a cassette.** Thus, Kanada only discloses that an image server can read out images from an image archiving apparatus, and not from a cassette as claimed in claims 1 and 9.

Furthermore, **Kanada does not disclose a medical image reading apparatus that reads identification information from a cassette.** On page 3 of the Office Action, the USPTO respectfully alleges that the ID number of the patient in Kanada corresponds to the identification information of a cassette. However, as clearly noted in column 16, lines 2-8 of Kanada, **the patient ID number is part of the examination order information, which is received from “any department such as an internal department or a surgical ward.”** Thus, Kanada does not disclose that the medical image reading apparatus reads identification information from a cassette, as claimed in claims 1 and 9.

Overall, it is respectfully important to note that Kanada does not disclose a cassette structure, as claimed in claims 1 and 9.

In contrast, present Figure 1 illustrates one possible embodiment of the claimed structure quoted above. As explained on pages 17-18 of the present specification, **a medical image can be recorded on cassette 70, and identification information of the cassette 70 is expressed in a bar code attached to cassette 70.** Furthermore, as discussed on page 18 of the present specification, **medical image reading apparatus 50 reads out the medical image from cassette 70 and reads the identification information from the barcode.** Thus, medical image reading apparatus 50 reads out identification information of a cassette and a medical image from the cassette detecting a radiographing image according to radiographing order information, as claimed in claims 1 and 9.

Thus, it is respectfully asserted that Kanada does not disclose all the claimed limitations of claims 1 and 9. Thus, it is respectfully asserted that Kanada does not anticipate claims 1 and 9.

B. Additional explanation.

Applicant respectfully notes the following additional explanation regarding the Kanada reference.

Kanada respectfully relates to a medical image searching apparatus that searches a requested image from the database according to the searching information from the image display terminal. The search result, including letter information, is transmitted to the image display terminal. Thus, the technical field of this medical image detecting apparatus is different from the technical field of the apparatus claimed in claims 1 and 9.

Additionally, the cited references do not disclose a cassette detecting a radiographic image. Thus, it is respectfully asserted that claims 1 and 9 are allowable over Kanada.

C. The dependent claims.

As noted above, it is respectfully asserted that independent claims 1 and 9 are allowable, and therefore, it is further respectfully asserted that dependent claims 2-8 and 10-12 are also allowable.

III. The obviousness rejections based on Kanada et al. in view of Fukushima et al. (US 5,051,849).

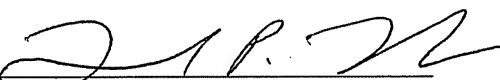
The USPTO respectfully rejects claims 6 and 10 under 35 U.S.C. § 103(a) as being obvious over Kanada et al. in view of Fukushima et al. As noted above, it is respectfully asserted that independent claims 1 and 9 are allowable, and therefore it is further respectfully asserted that dependent claims 6 and 10 are allowable.

IV. Conclusion.

Reconsideration and allowance of all of the claims is respectfully requested.
If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Please contact the undersigned for any reason. Applicants seek to cooperate with the Examiner including via telephone if convenient for the Examiner.

Respectfully submitted,

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Date: January 4, 2007